

Before the
Federal Communications Commission
Washington, DC 20554

In the Matter of

Richtec PLC,

Transferor,

and

Satamatics Worldwide Limited,

Transferee,

Application for Transfer of Control for Earth Station
and Domestic and International Section 214
Authorizations

and

Satamatics, Inc.

Petition for Declaratory Ruling under Section
310(b)(4)

IB Docket No. 04-285

File No. SES-T/C-20040715-01000

File No. ITC-T/C-20040715-00293

File No. ISP-PDR-20040715-00006

PETITION TO DEFER

The United States Department of Justice (“DOJ”), including the Federal Bureau of Investigation (“FBI”), and on behalf of the United States Department of Homeland Security (“DHS”), respectfully requests that the Federal Communications Commission (“FCC” or “Commission”) defer grant of the above-captioned applications until the DOJ and DHS notify the Commission that they have addressed potential national security, law enforcement, and

public safety issues. The DOJ and DHS expect to provide such notification to the Commission within the next few weeks.

In the above-captioned docket, Satamatics Worldwide Limited (“Satamatics Worldwide”) and Richtec PLC (“Richtec”) have filed applications seeking Commission approval to transfer control of an earth station license and domestic and international 214 authorizations from Richtec to Satamatics Worldwide. Satamatics, Inc. (“Satamatics”) also requests a declaratory ruling, pursuant to Section 310(b)(4) of the Communications Act of 1934, as amended, that its proposed indirect foreign investment would be consistent with the public interest. Satamatics provides Inmarsat D+ service, a low-speed, low-capacity, data-only service used for remote monitoring, tracking and control applications.

Since the owners of Satamatics Worldwide are foreign entities, DOJ and DHS are evaluating whether the proposed transfer of control from Richtec to Satamatics Worldwide could impair the ability of authorized government agencies in the United States to satisfy their obligations to preserve national security, enforce the laws, and protect public safety. The DOJ and DHS therefore request that, until they adequately address those national security, law enforcement, and public safety issues, the Commission defer the formal issuance of an Order regarding the applications.

Because the integrity of U.S. telecommunications services is critical to the ability of our government to preserve the national security, enforce the laws, and maintain the safety of the public, DOJ and DHS have previously availed themselves of the opportunity under Section 310 of the Act, and implementing regulations, to comment regarding the public interest concerns raised by particular transactions. There is, therefore, well-established precedent for delaying

approval of an application to transfer control of FCC licenses and authorizations until DOJ and DHS have reviewed the transaction for safety, security, and enforcement concerns.

Accordingly, the DOJ and DHS hereby request that the Commission, without delaying its present consideration of the applications in any other respect, defer the formal issuance of an Order on the above captioned applications until such time as the DOJ and DHS have notified the Commission that they have adequately addressed those aspects of the proposed transfers that potentially raise national security, law enforcement, and public safety concerns.

Respectfully submitted,

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